Table 4.5
GUBERNATORIAL EXECUTIVE ORDERS: AUTHORIZATION, PROVISIONS, PROCEDURES

		Provisions								*Procedures*		
State or other jurisdiction	*Authorization for executive orders*	*Civil defense disasters, public emergencies*	*Energy emergencies and conservation*	*Other emergencies*	*Executive branch reorganization plans and agency creation*	*Create advisory,coordinating, study or investigative committees/commissions*	*Respond to federal programs and requirements*	*State personnel administration*	*Other administration*	*Filing and publication procedures*	*Subject to administrative procedure act*	*Subject to legislative review*
Alabama	S,I (a)	. . .	. . .	★(b)	. . .	. . .	. . .	. . .	. . .	★ (c,d)	. . .	. . .
Alaska	C	. . .	. . .	. . .	C	. . .	. . .	. . .	. . .	S	. . .	C
Arizona	I	★(a)	★(a)	★ (a)	. . .	★	. . .	. . .	. . .	★(c)	. . .	. . .
Arkansas	S,I (e)	★	★	★	. . .	★	★	★	★	★	. . .	. . .
California	S	★	★	★	★	★	★	★	★	. . .	. . .	. . .
Colorado	S,I	★	★	★(f)	★	★	★	★	. . .	★	. . .	. . .
Connecticut	S	★	★	★	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	C	★	★	★	★	★	★	★	★(a,g)	★	. . .	. . .
Florida	C,S	★ (pp)	★	★(h)	. . .	★	★	★ (qq)	★ (i,j,oo)	★(c)	. . .	. . .
Georgia	S,I	★	★	★	★	★	★	★	★	★	. . .	. . .
Hawaii	C	★	. . .	. . .	. . .	. . .	. . .	. . .	★(k)	. . .	. . .	. . .
Idaho	S	. . .	I	I	. . .	I	I	. . .	. . .	★(c)	. . .	. . .
Illinois	C	S	. . .	. . .	★	I	. . .	I	. . .	★(c)	. . .	★(l)
Indiana	S,I	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	S	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	C,S	★	★	★	★	★	. . .	★	★	★ (c,d,n)	. . .	. . .
Kentucky	C,S	★	★	★(o)	★	★	★	★	★ (p,q,r)	★(c)	. . .	★
Louisiana	S (g)	S	S	S	Limited ★	Yes; S	Yes	Yes	Yes	★ (n)	No	No (u)
Maine	S	★	★	★(v,w)	. . .	C,S	. . .	. . .	. . .	★(d)	. . .	. . .
Maryland	C,S	★	★	. . .	★	★	★	★	★(x)	★	★	★(y)
Massachusetts	C,I	★	★	★ (f,v)	★	★	★	★	. . .	★(n)	. . .	. . .
Michigan	C,S	★	★	★	★ (c,s)	★(c)	. . .	. . .	★ (r)	★(c)	. . .	★(z)
Minnesota	S	★	★ (aa)	. . .	★	★	. . .	. . .	★ (bb)	★ (c,n)	. . .	★(y)
Mississippi	S	★	★	. . .	★	★	★	S	★ (cc,dd)	★(c)	★	. . .
Missouri	C,S,Common Law	★	I	★	★	★	★	★	★	★(y)	. . .	★ (y,ee)
Montana	S,I	★	★	★	★	★	★	★	★	★(c)	. . .	. . .
Nebraska	I	S	S	S	. . .	S	S	★	S,C	. . .	. . .	. . .
Nevada	S,I	★	. . .	I	. . .	★	. . .	★	I	. . .	. . .	. . .
New Hampshire	S	★	★(a)	★	. . .	★	★	. . .	★ (q)	★	. . .	. . .
New Jersey	C,S,I	★	★	★(ff)	(gg)	★	. . .	. . .	★ (dd)	. . .	. . .	. . .
New Mexico	C	★	★	★	★	★	★	. . .	. . .	. . .	. . .	. . .
New York	I	★	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	S,I	S	S	S	S,C	I	S	S	S,C	S	. . .	★(y)
North Dakota	S,I	★	★	★	I	I	I	. . .	★	★	. . .	(j,r,s,t,bb,dd)
Ohio	I	★	★	★	. . .	★	★	★	★	★(c)	. . .	. . .

See footnotes at end of table.

GUBERNATORIAL EXECUTIVE ORDERS: AUTHORIZATION, PROVISIONS, PROCEDURES — Continued

		Provisions								*Procedures*		
State or other jurisdiction	*Authorization for executive orders*	*Civil defense disasters, public emergencies*	*Energy emergencies and conservation*	*Other emergencies*	*Executive branch reorganization plans and agency creation*	*Create advisory,coordinating, study or investigative committees/commissions*	*Respond to federal programs and requirements*	*State personnel administration*	*Other administration*	*Filing and publication procedures*	*Subject to administrative procedure act*	*Subject to legislative review*
Oklahoma	S,I	★	. . .	★ (v)	★	. . .	. . .	★	★ (gg)	★ (c)	★	★ (y)
Oregon	S	★	★	. . .	. . .	★	. . .	. . .	. . .	★ (c)	. . .	. . .
Pennsylvania	C,S	★	. . .	★ (n, v, x, ii)	. . .	★	★	. . .	★ (ii)	★ (c,n)	. . .	. . .
Rhode Island	S (a)	★	★	(a)	. . .	(a)	. . .	. . .	★ (m)	. . .	. . .	. . .
South Carolina	I (e)	★ (dd)	. . .	★ (j, hh)	. . .	★	. . .	. . .	. . .	★ (c, d, jj)	. . .	. . .
South Dakota	C	. . .	. . .	. . .	★	. . .	. . .	. . .	★ (t)	. . .	. . .	★
Tennessee	S,I	★	★	★	(kk)	★	★	★	★	★ (c)	★	★
Texas	S,I	★	★	★	. . .	★	★	. . .	. . .	★ (c)	. . .	. . .
Utah	S	★	★	. . .	. . .	★	★	. . .	. . .	★	. . .	. . .
Vermont	S,I	★	★	. . .	★	★	. . .	. . .	. . .	★ (ll)	★	★ (mm)
Virginia	S,I	★	★	★ (g)	★ (nn)	★	★	★	★	★ (c)	. . .	. . .
Washington	S	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
West Virginia	S,I (e)	★	. . .	. . .	S,I	S,I	★	S,I	S,I (e,i)	★ (c,n)	. . .	. . .
Wisconsin	S	★	★	★	. . .	★	★	★	★ (q, dd, gg)	★ (c)	. . .	. . .
Wyoming	S	I	. . .	. . .	★	I	. . .	. . .	. . .	. . .	. . .	. . .
American Samoa	C,S	★	★	★	★	★	★	★	★	★ (rr)	★ (rr)	. . .
Guam*	C	★	★	. . .	(kk)	★	★	★	★	★	. . .	. . .
No. Mariana Islands	C	★		★	C	S,I	S	. . .	★	S	I	. . .
Puerto Rico*	I	★	. . .	★	. . .	★	★	★	★	. . .	. . .	★
U.S. Virgin Islands*	C	★	★	★	★	★	★	★	★	★	. . .	★

See footnotes at end of table.

GUBERNATORIAL EXECUTIVE ORDERS: AUTHORIZATION, PROVISIONS, PROCEDURES — Continued

Source: The Council of State Governments' survey, January 2002 and state constitutions and statues. Information noted by an * is from *The Book of the States*, 2000-2001.

Key:
C — Constitutional
S — Statutory
I — Implied
★— Formal provision.
. . . — No formal provision.
(a) Broad interpretation of gubernatorial authority.
(b) To activate or veto environmental improvement authorities.
(c) Executive orders must be filed with secretary of state or other designated officer. In Idaho, must also be published in state general circulation newspaper.
(d) Governor required to keep record in office. In Maine, also sends copy to Legislative Counsel, State Law Library, and all county law libraries in state.
(e) Some or all provisions implied from constitution.
(f) To regulate distribution of necessities during shortages.
(g) Broad grant of authority.
(h) Local financial emergency, shore erosion, polluted discharge and energy shortage.
(i) To reassign state attorneys and public defenders.
(j) To suspend certain officials and/or other civil actions.
(k) Delegation of authority over real property (e.g., to counties for park purposes).
(l) Only if involves a change in statute.
(m) To transfer allocated funds.
(n) Included in state register or code.
(o) To give immediate effect to state regulation in emergencies.
(p) To control administration of state contracts and procedures.
(q) To impound or freeze certain state matching funds.
(r) To reduce state expenditures in revenue shortfall.
(s) To designate game and wildlife areas or other public areas.
(t) Appointive powers.
(u) Appointments made pursuant to an executive order are subject to Senate confirmation.
(v) For fire emergencies.
(w) For financial institution emergencies.
(x) To control procedures for dealing with public.
(y) Reorganization plans and agency creation.
(z) Legislative appropriations committees must approve orders issued to handle a revenue shortfall.
(aa) If an energy emergency is declared by the state's Executive Council or legislature.
(bb) To assign duties to lieutenant governor, issue writ of special election.
(cc) To control prison and pardon administration.
(dd) To administer and govern the armed forces of the state.
(ee) For meeting federal program requirements.
(ff) To declare air pollution emergencies.
(gg) Relating to local governments.
(hh) To declare water, crop and refugee emergencies.
(ii) To transfer funds in an emergency.
(jj) Must be published in register if they have general applicability and legal effect.
(kk) Can reorganize, but not create.
(ll) Filed with legislature.
(mm) Only executive branch reorganization.
(nn) To shift agencies between secretarial offices; all other reorganizations require legislative approval.
(oo) By executive order, governor may also suspend collection of fines and forfeitures, grant reprieves not exceeding 60 days and with approval of 3 cabinet members, grant full or conditional pardons, restore civil rights, commute punishment and remit fines and forfeiture for offenses.
(pp) Governor may also delineate an interjurisdictional area to prepare , plan, mitigate or respond to emergency.
(qq) Governor may also declare an office vacant.
(rr) If executive order fits definition of rule.